

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

Dirk Christianson,

Plaintiff,

vs.

McLean County, a Political Subdivision of
the State of North Dakota; Underwood
Clinic, P.C. d/b/a Washburn Clinic; Jerry
“J.R.” Kerzmann, individually, and as
Sheriff of McLean County; Kerri Benning,
FNP-C, individually, and as Health Care
Authority; Ashley Brossart, RN,
individually, and as Contract Nurse; John
Doe 1-4, individually, and as McLean
County Correctional Officers; John Doe 5-8,
individually, and as McLean County
Detention Center Medical Staff;

Defendants.

ORDER

Case No. 1:21-cv-073

On January 31, 2024, the parties filed a Stipulation to Amend Scheduling/Discovery Plan. (Doc. No. 64). The court **ADOPTS** the stipulation (Doc. No. 64) and **AMENDS** the pretrial deadlines as follows.

1. Fact discovery will be completed by April 1, 2024. All discovery pursuant to Rules 33, 34, and 36 to be served by March 1, 2024.
2. Discovery motions are due by April 1, 2024.
3. The deadlines for exchanging complete expert witness reports are:
 - a. May 1, 2024, for Plaintiff; and
 - b. June 3, 2024, for Defendants.
4. Discovery depositions of expert witnesses shall be completed by July 19, 2024.

5. Dispositive motions are due by September 6, 2024

To allow time for briefing and consideration of any dispositive motions that may be filed, the court finds it necessary to continue the final pretrial conference and jury trial, which are respectively scheduled for October 8 and 21, 2024. The final pretrial conference shall therefore be rescheduled for February 18, 2025, at 9:00 AM by telephone before the magistrate judge. To participate in the conference, the parties should call (877) 810-9415 and enter access code 8992581. The jury trial shall be rescheduled for March 3, 2025, at 9:00 AM in Bismarck (Eagle courtroom) before Judge Daniel L. Hovland. A seven (7) day trial is anticipated.

IT IS SO ORDERED.

Dated this 2nd day of February, 2024.

/s/ Clare R. Hochhalter
Clare R. Hochhalter, Magistrate Judge
United States District Court

UNITED STATES DISTRICT COURT
DISTRICT OF NORTH DAKOTA

Dirk Christianson,)	Civil No: 1:21-cv-00073-DLH-CRH
)	
Plaintiff,)	
)	
vs.)	
)	
McLean County, a Political Subdivision of)	
the State of North Dakota; Underwood)	
Clinic, P.C. d/b/a Washburn Clinic; Jerry)	
"J.R." Kerzmann, individually, and as)	
Sheriff of McLean County; Kerri Benning,)	
FNP-C, individually, and as Health Care)	
Authority; Ashley Brossart, RN,)	
individually, and as Contract Nurse; John)	
Doe 1-4, individually, and as McLean)	
County Correctional Officers; John Doe 5-8,)	
individually, and as McLean County)	
Detention Center Medical Staff;)	
)	
Defendants.)	

STIPULATION TO AMEND SCHEDULING/DISCOVERY PLAN

Counsel for the parties, having met and conferred, hereby stipulate and agree to extend the following deadlines:

1. Fact Discovery: **April 1, 2024.** All written discovery to be served by **March 1, 2024.**
2. The deadline for **filing** discovery motions: **April 1, 2024.**
3. The deadlines for exchanging complete expert witness reports are:
 - a. Plaintiff: **May 1, 2024**
 - b. Defendants: **June 3, 2024**
4. Discovery depositions of expert witnesses to be completed by **July 19, 2024**

5. Dispositive motions are due **September 6, 2024**.

The parties respectfully request that the Court enter an order adopting this stipulation.

The parties have met and conferred as to the extension of additional deadlines and have been unable to come to an agreement. They will reach out to the Court for an informal conference to discuss those disagreements, but there is consensus as to the amendments outlined above.

Dated this 31st day of January, 2024.

LARSON LAW FIRM, P.C.

/s/ Shelby Larson

Mark V. Larson (ID #03587)

Shelby Larson (ID #08524)

1020 North Broadway

P.O. Box 2004

Minot, North Dakota 58702

Phone: (701) 839-1777

larslaw@srt.com

Attorneys for Plaintiff

Dated this 31st day of January, 2024.

CROWLEY FLECK PLLP

/s/ Benjamin J. Sand

Benjamin J. Sand (#07981)

W. Logan Caldwell (#09263)

100 West Broadway Ave., Suite 250

P.O. Box 2798

Bismarck, North Dakota 58502-2798

Phone: (701) 223-6585

Fax: (701) 222-4853

bsand@crowleyfleck.com

lcaldwell@crowleyfleck.com

*Attorneys for Defendants Underwood Clinic, P.C.
d/b/a Washburn Clinic and Kerri Benning, FNP-C*

Dated this 31st day of January, 2024.

BAKKE GRINOLDS WIEDERHOLT

/s/ Grant T. Bakke

Randall J. Bakke (#03898)

Grant T. Bakke (#09106)

300 West Century Avenue

P.O. Box 4247

Bismarck, North Dakota 58502-4247

Phone: (701) 751-8188

rbakke@bgwattorneys.com

gbakke@bgwattorneys.com

Special Assistant State's Attorneys to

McLean County for Defendants McLean County,

Jerry Kerzmann and Ashley Brossart